APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,665	01/23/2004	Andrew R. Ferlitsch	J-SLA.1378	9384

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/763,665	FERLITSCH, ANDREW R.
	Examiner	Art Unit	
	Neil R. McLean	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 January 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>23 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *1/23/2004*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Claim Objections

1.   Claim 1 is objected to because of the following informality: Line 7; "exchanged

between the devices" ends with a period. This is not proper. Appropriate correction is

required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-2, 4, 7-8, 10, 12-13, and 15-17 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Barrett et al. (US 5,647,056) in view of Chou et al. (US

2003/0204950).

Regarding Claim 1:

        Barrett et al. discloses a method for downloading to a client device (PC 42 in

Figure 2), and therein auto-configuring (Column 27, lines 4-6), an imaging device driver

(Column 51, lines 31-33) which, along with relevant configuration information (Column

54, lines 36-43), is embedded (Column 10, lines 15-18) in the imaging device (Printer

78 in Figure 2), said method comprising

establishing between the client device and the imaging device an operative

connection (Column 7, lines 39-45), including a bi-directional, imaging-device

communication port (e.g., 100 in Figure 3) which is

(a) compatible with both devices (Column 7, lines 48-54), and

(b) the port via which imaging-job information will be exchanged between the

devices (e.g., exchange of data described in Column 7, lines 43-45);

in relation to said establishing, and utilizing the mentioned port, effecting a

companion delivery download (Column 18, lines 35-55) therethrough from the imaging

device to the client device (Column 41, lines 60-67; See Steps S1607 – S1612 in Figure

16) of the relevant configuration information (e.g., Column 42, Table 42).

Barrett et al. discloses all of the above limitations however Barrett et al. does not

disclose expressly wherein the imaging driver is sent from the imaging device to the

client device, and in association with said effecting and resulting delivery, auto-

configuring in the client device the delivered imaging.

In the same field of endeavor of installing device drivers, Chou et al. discloses

wherein the imaging driver is sent from the imaging device to the client device ([0006],

lines 1-6) and in association with said effecting and resulting delivery, auto-configuring

in the client device the delivered imaging driver ([0016], lines 8-14; Figure 1, Step 120).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to use the built in driver of Chou et al. in Barrett et al.'s method for

managing access to networked peripherals.

The suggestion/motivation for doing so would be to make the installation of a new device easier and to make sure that the correct device driver is installed in the host to prevent conflicts.

Therefore, it would have been obvious to combine the built in driver of Chou et al. with Barrett et al.'s method for managing access to networked peripherals.to obtain the invention as specified in claim 1.

Regarding Claim 2:

Barrett et al. discloses the method of claim 1, wherein said effecting includes issuing from the client device to the imaging device a request though the communication port for the delivery of the driver and the configuration information (Column 7, lines 39-45).

Regarding Claim 4:

Barrett et al. discloses the method of claim 2, wherein the communication port employed is IEEE 1284 ECP parallel port (Column 5, lines 40-41).

Regarding Claim 7:

Barrett et al. discloses the method of claim 5, wherein the communication port employed is IEEE 1284 ECP parallel port (Column 5, lines 40-41).

Regarding Claim 8:

Barrett et al. disclose a setting which includes an operatively and communicatively interconnected (Column 7, lines 39-45) client device (PC 42 in Figure 2) and imaging device (Printer 78 in Figure 2), wherein the imaging device possesses an embedded (Column 10, lines 15-18) imaging driver (Column 51, lines 31-33) and related configuration information (Column 54, lines 36-43), and the imaging device is not yet installed on the client device (Column 54, lines 36-43), a method comprising

identifying, and preparing for use, a bi-directional communication port (e.g., 100 in Figure 3) via which imaging-job information may be exchanged between the two devices, and

using this port, sending from the imaging device to the client device the related configuration information (Column 18, lines 35-55),

Barrett et al. discloses all of the above limitations however Barrett et al. does not disclose expressly wherein the imaging driver is sent from the imaging device to the client device, and following said sending, and in the client device, auto-configuring the sent driver.

In the same field of endeavor of installing device drivers, Chou et al. discloses wherein the imaging driver is sent from the imaging device to the client device ([0006], lines 1-6), and following said sending, and in the client device, auto-configuring the sent driver ([0016], lines 8-14; Figure 1, Step 120).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to use the built in driver of Chou et al. in Barrett et al.'s method for

managing access to networked peripherals.

The suggestion/motivation for doing so would be to make the installation of a

new device easier and to make sure that the correct device driver is installed in the host

to prevent conflicts.

Therefore, it would have been obvious to combine the built in driver of Chou et al.

with Barrett et al.'s method for managing access to networked peripherals.to obtain the

invention as specified in claim 8.

Regarding Claim 10:

Barrett et al. discloses the method of claim 8, wherein said sending is preceded,

and triggered, by a request process (Column 7, lines 39-45) which is initiated from the

client device and communicated to the imaging device through the communication port.

Regarding Claim 12:

Barrett et al. discloses the method of claim 8, wherein the port which is identified

and prepared is IEEE 1284 ECP parallel port (Column 5, lines 40-41).

Regarding Claim 13:

Barrett et al. disclose an embedded-driver downloading and configuring structure

comprising an imaging device (Printer 78 in Figure 2) possessing an embedded

(Column 10, lines 15-18) driver (Column 51, lines 31-33) and related configuration information (Column 54, lines 36-43),

a client device (PC 42 in Figure 2) having the capability for operative installation of said imaging device,

a communication port (e.g., IEEE 1284 ECP parallel port; Column 5, lines 40-41) defining a shareable, compatible via for the exchange of imaging-job information between said devices (e.g., exchange of data described in Column 7, lines 43-45), and

appropriately inter-associated request (Column 7, lines 39-45), response and auto-configuring (Column 54, lines 36-43) structure distributively present in said client and imaging devices, operatively connected to said port, and operable, collaboratively, to effect a chain of events including

(a) a request from said client device (Column 7, lines 39-45) to said imaging device for the download configuration information,

(b) a responsive download (Column 18, lines 35-55) from said imaging device to said client device.

Barrett et al. discloses all of the above limitations however Barrett et al. does not disclose expressly wherein the imaging driver is sent from the imaging device to the client device, and an auto configuring of the downloaded driver in said client device.

In the same field of endeavor of installing device drivers, Chou et al. discloses wherein the imaging driver is sent from the imaging device to the client device ([0006],

lines 1-6), and an auto configuring of the downloaded driver in said client device ([0016],

lines 8-14; Figure 1, Step 120).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to use the built in driver of Chou et al. in Barrett et al.'s method for

managing access to networked peripherals.

The suggestion/motivation for doing so would be to make the installation of a

new device easier and to make sure that the correct device driver is installed in the host

to prevent conflicts.

Therefore, it would have been obvious to combine the built in driver of Chou et al.

with Barrett et al.'s method for managing access to networked peripherals.to obtain the

invention as specified in claim 13.

Regarding Claim 15:

Barrett et al. discloses the downloading and configuring structure of claim 13,

wherein said communication port is IEEE 1284 ECP parallel port (Column 5, lines 40-

41).

Regarding Claim 16:

Barrett et al. discloses a communication-associated process involving

(a) a client device (PC 42 in Figure 2), and

(b) an imaging device (Printer 78 in Figure 2) which includes an embedded

(Column 10, lines 15-18) driver (Column 51, lines 31-33) and related configuration

information (Column 54, lines 36-43), said process comprising

communicatively associating the two devices (Column 7, lines 48-54), and

thereafter, and employing the embedded driver and related configuration

information (e.g., Column 42, Table 42).

Barrett et al. discloses all of the above limitations however Barrett et al. does not

disclose expressly wherein the imaging driver is sent from the imaging device to the

client device and equipping the client device with a fully configured installation of the

driver

In the same field of endeavor of installing device drivers, Chou et al. discloses

wherein the imaging driver is sent from the imaging device to the client device ([0006],

lines 1-6) and equipping the client device with a fully configured installation of the driver

([0016], lines 8-14; Figure 1, Step 120).

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to use the built in driver of Chou et al. in Barrett et al.'s method for

managing access to networked peripherals.

The suggestion/motivation for doing so would be to make the installation of a

new device easier and to make sure that the correct device driver is installed in the host

to prevent conflicts.

Therefore, it would have been obvious to combine the built in driver of Chou et al.
with Barrett et al.'s method for managing access to networked peripherals.to obtain the
invention as specified in claim 16.

Regarding Claim 17: .

Barrett et al. discloses the process of claim 16, wherein said equipping involves
communicating the embedded driver and related configuration information directly from
the imaging device to the client device via a selected imaging port (Column 16, lines 10-
22) through which imaging-job information will be exchanged between the two devices
during the shared implementation of an imaging job.

4.   Claims 3, 5-6, 9, 11, and 14 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Barrett et al. in view Chou and further in view of applicant's admitted
prior art.

Regarding Claim 3, and similar Claims 6, 11, and 14:

Barrett et al. discloses all of the limitations as disclosed in Claims 1, 8, and 13.

However, Barrett et al. does not disclose expressly wherein the communication
port employed is RAW port 9100.

Applicant discloses in the specification the **"well known bi-directional RAW
port 9100"**; Page 6, lines 18-19).

Barrett et al. & Applicant's admitted prior art are combinable because they are

from the same field of endeavor of image processing systems.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to have the Applicant's communication protocol RAW port 9100 as a

means of communication in the image processing system of Barrett et al.

The suggestion/motivation for doing so is to have a well known, fast, proven,

supported, and standardized communication port to ensure proper transmission of

image data.

Therefore, it would have been obvious to combine the Applicant's communication

protocol RAW port 9100 with the image processing system of Barrett et al. to obtain the

invention as specified in claims 3, 6, 11, and 14.

Regarding Claim 5:

Barrett et al. discloses the method of claim 2 which is employed with a client

device (PC 42 in Figure 2), and which further comprises integrationally linking the

process of requesting (Column 7, lines 39-45), downloading (Column 18, lines 35-55)

and auto-configuring with such process (Column 41, lines 60-67; e.g., Configuration

Commands Table 9, Column 42); (Column 54, lines 36-43).

Barrett et al. does not disclose expressly an add-device process for installing a

system device.

Applicant discloses in the specification the **"conventional create-installed –**

printer (add-device) process (22b in Figure 1)" (Specification; Page 9, lines 10-11).

Barrett et al. & Applicant's admitted prior art are combinable because they are from the same field of endeavor of updating network devices.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the Applicant's admitted prior art method of installing add on devices with Barrett et al.s method of managing a network peripheral.

The suggestion/motivation for doing so is to have a conventional, proven, supported, and standardized process when adding new devices to a system.

Therefore, it would have been obvious to combine the Applicant's admitted prior art method of installing add on devices with Barrett et al.'s method of managing a network peripheral to obtain the invention as specified in Claim 5.

Regarding Claim 9:

Barrett et al. discloses the method of claim 8, wherein the client device possesses, and includes the capability to implement, an add-device process, and said sending and auto-configuring steps are effectively integrated with implementation of that process (Column 41, lines 60-67; e.g., Configuration Commands Table 9, Column 42); (Column 54, lines 36-43).

Barrett et al. does not disclose expressly an add-device process for installing a system device.

Applicant discloses in the specification the **"conventional create-installed – printer (add-device) process (22b in Figure 1)"** (Specification; Page 9, lines 10-11).

Barrett et al. & Applicant's admitted prior art are combinable because they are

from the same field of endeavor of updating network devices.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to have the Applicant's admitted prior art method of installing add on

devices with Barrett et al.s' method of managing a network peripheral.

The suggestion/motivation for doing so is to have a conventional, proven,

supported, and standardized process when adding new devices to a system.

Therefore, it would have been obvious to combine the Applicant's admitted prior

art method of installing add on devices with Barrett et al.'s method of managing a

network peripheral to obtain the invention as specified in Claim 9.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Lomas et al. discloses a method of enabling installation of a

network printer onto a client processor and employing a server for managing printer
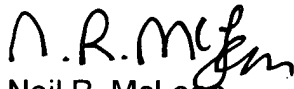
installations

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Neil R. McLean whose telephone number is 571.

270.1679. The examiner can normally be reached on Monday through Friday   7:30AM-

5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, King Poon can be reached on 571.272.7440. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Neil R. McLean
09/26/2007

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